

November 24, 2008 Amendment

Applicant notes that the Office Action cites claims within the detailed action that fail to recognize the amendment of November 24, 2008. Specifically the Office Action fails to recognize the addition of “power-generating” in line 3 of claim 13 and line 2 of claim 23. Confirmation of the Amendment of November 24, 2008 is respectfully requested, and withdrawal of the rejections of the January 7, 2009 Office Action is respectfully submitted.

Claim 13 recites:

“An apparatus comprising:

a power-generating wind turbine switch cabinet;

at least one power-generating wind turbine circuit element coupled to the power-generating wind turbine switch cabinet; and

a drying arrangement adapted to prevent water deposition onto the at least one power-generating wind turbine circuit element, the drying arrangement including an air flow device generating an air flow in a region of the at least power-generating wind turbine circuit element to counteract the water deposition onto the at least one power-generating wind turbine circuit element.”

Hamerski discloses “an all weather gas supply unit for delivering generally inert gas to a sealed storage structure for atmosphere control.” (abstract). Hamerski provides a gas burner to fill a volume of a silo with CO₂, N₂, CO₂ and low O₂. Moisture is removed from the gas being delivered to the silo with a condenser and drainage mechanism on the gas path to the silo.

Seabury discloses a system and method for extracting a useful fuel from the exhaust gas of combustion turbine. Moisture is removed from the exhaust gas of a “combustion turbine” and the exhaust gas is used to fuel a fired steam generator.

Applicant respectfully submits that the rejection set forth in the Office Action should be withdrawn for at least the following reasons:

1. The Office Action cites Hamerski as disclosing a power generating wind turbine switch cabinet by item 9. Item 9 is described in Hamerski as an “exothermic gas generator” (Col. 3, lines 15-16), as a “gas generator” (Col. 3, line 53) and as a “gas supply unit” (Col. 3, lines 49-50). Nowhere does

Hamerski describe item 9 as “a power generating wind turbine switch cabinet” or anything consistent with “a power generating wind turbine switch cabinet” as recited in dependent Claim 13. Further, the power generating wind turbine switch cabinet of the present application is a wind turbine that generates electric power. The “exothermic gas generator” of Hamerski does not generate power but merely produces an exhaust gas mainly of CO₂, N₂ and H₂O (Col. 4, lines 24-25). Neither Hamerski nor Seabury, alone or in combination, teaches or suggests a power-generating wind turbine switch cabinet.

Applicant respectfully submits that a power-generating wind turbine switch cabinet is a control cabinet for a power-generating wind turbine. Hamerski discloses a weather gas supply unit. Seabury discloses a moisture separation for an exhaust gas from a gas turbine. Although both Hamerski and Seabury do disclose internal fans, these fans are not power-generating wind turbines. Fans absorb electrical power to produce a flow of air and do not generate power, while a power-generating wind turbine uses the wind to generate power.

Accordingly, the proposed combination of Hamerski and Seabury does not teach, suggest or disclose the claimed invention.

2. The Office Action acknowledges that Hamerski fails to disclose the claimed power generation wind turbine circuit element, but cites Seabury as disclosing “a power-generating wind turbine circuit element on the face of that reference”. Seabury shows a “combustion turbine”, not a “power-generating wind turbine”. Further, Seabury fails to disclose any circuit elements and particularly a circuit element in the path of an air flow. Applicant respectfully submits that because Seabury discloses nothing with respect to a “power-generating wind turbine”, nothing with respect to a “power-generating wind turbine circuit element”, and nothing with respect to an air flow in a region of such circuit element, its combination with Hamerski does not make a *prima facie* case of obvious and must be withdrawn.
3. Neither Hamerski nor Seabury, alone or in combination, discloses, teaches or suggests at least one power-generating wind turbine circuit element coupled to the power-generating wind turbine switch cabinet, as recited in the claims. Although Hamerski and Seabury do disclose general circuit elements, none of these circuit element relate to a power-generating wind turbine, as set forth in the claims.

Accordingly, the proposed combination of Hamerski and Seabury does not teach, suggest or disclose the claimed invention.

4. Neither Hamerski nor Seabury, alone or in combination, teaches or suggests a drying arrangement adapted to prevent water deposition onto the at least on power-generating wind turbine circuit element. As described above, neither cited reference discloses a power-generating wind turbine circuit so it follows that they cannot disclose a drying arrangement adapted for such a circuit. Further, while both Hamerski and Seabury disclose circuit elements and generating an air flow, the air flow is not generated “in a region of the at least one power generating wind turbine circuit element”, as cited in the claims. In fact, neither Hamerski nor Seabury disclose an air flow to counteract the water deposition on any circuit element and particularly no power-generating wind turbine circuit element.

Accordingly, the proposed combination of Hamerski and Seabury does not teach, suggest or disclose the claimed invention.

5. FIG. 3 of Hamerski, cited by the Office Action, shows an ignition unit 35, blower 22, a heater unit 58, blower 69 and heater 73, and thermostat 74. The ignition unit 35 functions to ignite a burning process which produces H_2O and no drying arrangement prevents water deposition on it. The blower 22 takes in outside air and has no drying arrangement preventing water deposition on it. The blower 69 takes in outside air. Heater unit 58 “maintains condensate above freezing temperatures” in conjunction with thermostat 74. Heater unit 58 acts as a defroster and creates moisture in the air. In summary, none of the arrangements of Hamerski generate an air flow in a region of the at least one over-generating wind turbine circuit element to counteract water deposition. Accordingly, the proposed combination of Hamerski and Seabury does not teach, suggest or disclose the claimed invention.

Therefore for at least the above rationale, Applicant respectfully submits that neither Hamerski, nor Seabury, nor any combination of Hamerski and Seabury teach, suggest or disclose the claimed invention.

Applicant respectfully submits that since the combination of Hamerski and Seabury does not teach, suggest, or disclose the features of the claimed invention, claim 13 is patentable over the Hamerski in view of Seabury. Accordingly, Applicant respectfully requests that the rejection of claim 13 under 35 USC § 103(a) be withdrawn.

Claim 17 is rejected under 35 U.S.C. § 103(a) as being unpatentable over

Hamerski in view of Seabury and in view of Roethel (U.S. 1,722,825). Claims 18-20 are rejected under 35 U.S.C. §103(a) as being unpatentable over Hamerski in view of Seabury. Claims 21-22 are rejected under 35 U.S.C. §103(a) as being unpatentable over Hamerski in view of Seabury in view of Streed (US 3,332,620)

Given that claims 14-22 depend from independent claim 13, which is patentable over the cited reference for the above-noted reasons, Applicant respectfully submits that dependent claims 14-22 are also patentable over the cited references. Accordingly, Applicant respectfully requests that the rejection of claims 14-22 be withdrawn.

Applicant respectfully submits that Claims 13-22 are in condition for allowance and such action is respectfully requested. For the above reasons, previously noted, independent Claim 13 is not anticipated by Hamerski. Neither Roethel, nor Seabury, nor Streed remedy these deficiencies.

Claim 23 recites:

“A method comprising:

controlling an operational parameter of a power-generating wind turbine by at least one power-generating wind turbine circuit element coupled to a power-generating wind turbine switch cabinet; and

generating an airflow in the internal space of the power-generating wind turbine switch cabinet using an air flow generating device to counteract a deposition of condensation water onto the at least one power-generating wind turbine circuit element.”

Claim 23 stands rejected under 35 U.S.C. §102(b) as being anticipated by Schloss. Applicant respectfully submits that Claim 23 is patentable over the cited reference because Schloss does not disclose all of the limitations of the claim.

Applicant respectfully submits that Claim 23 recites a power-generating wind turbine circuit element and a power-generating wind turbine switch cabinet, and uses an air flow device to generate an air flow to counteract a deposition of condensation water onto at least one power-generating wind turbine circuit element. Applicant respectfully submits that Schloss fails to disclose at least these limitations of the claim.

Schloss is merely directed to “An apparatus for cardiovascular conditioning, alternative bodily waste eliminations and other physiological purposes includes a chamber in which a person is subjected to an environmental temperature elevated

sufficiently to cause profuse sweating and increased heart rate”. Schloss employs an ordinary fan to circulate air through the chamber at various rates for establishing workout conditions within the chamber.

The Office Action alleges that the limitation of controlling an operational parameter of a power-generating wind turbine is satisfied by operation of the fan (Col 7, line 52 to Col. 8, line 10). The instant referenced Schloss section describes airflow created by fans powered by electric motors. The object of Schloss is to control climate within the workout chamber. A power-generating wind turbine is clearly a distinct device that is powered by or driven by the wind. The fan component of Schloss workout chamber creates an air flow, but is not intended for or designed for controlling an operational parameter of a power-generating wind turbine. As such, Schloss fails to disclose controlling an operational parameter of a power-generating wind turbine by at least one power-generating wind turbine circuit element and a power-generating wind turbine switch cabinet for a wind turbine, as required by claim 23.

The Office Action purports that “generating air flow in the internal space of the switch cabinet using an air flow generating device to counteract a deposition of condensation water onto the at least one power-generating wind turbine circuit element” is disclosed at Col. 10, lines 1-60. However, while Schloss does describe the generation of an airflow, nowhere in the cited passage or elsewhere does Schloss disclose generating an airflow to counteract a deposition of condensation water onto the at least one power-generating wind turbine circuit element. Further, Schloss does not identify any power-generating wind turbine circuits within the power-generating wind turbine switch box for which an airflow is generated to counteract deposition of condensation water. Instead with Schloss, the airflow is generated primarily for controlling ambient for physical exertion within the workout chamber and not for “counteracting a deposition of condensation water onto the at least one power-generating wind turbine circuit element”. Therefore, for at least the above rationale, Applicant respectfully submits that Schloss does not teach, suggest, or disclose the claimed invention.

Applicant respectfully submits that because Schloss does not teach, suggest or disclose all the features of the claimed invention, Schloss cannot be applied under 35

U.S.C. §102(b) and, as such, the rejection must be withdrawn.

Given that the cited reference fails to disclose all of the limitations of the claim, Applicant respectfully submits that claim 23 is patentable over the cited reference. Accordingly, Applicant respectfully requests that the rejection of claim 23 under 35 U.S.C. §102(b) be withdrawn.

Further, the Office Action asserts that dependent Claims 24-25 and 28 are anticipated by Schloss under 35 USC §102(b) and that dependent Claims 26 and 27 are unpatentable over Schloss in view of Seabury under 35 USC §103(a). However, the deficiencies of Schloss with respect to underlying independent claim 23, as previously described, are not remedied. Accordingly, Schloss does not teach, suggest or disclose the claimed invention under 35 USC §102(b).

Given that claims 24-28 depend from independent claim 23, which is patentable as discussed above, Applicant respectfully submits that dependent claims 24-28 are also patentable over the cited references. Accordingly, Applicant requests that the rejection of claims 24-25 and 28 under 35 USC §102(b) and claims 26-27 under 35 USC §103(a) be withdrawn. Applicant submits that claims 23-28 are in condition for allowance and such action is respectfully requested.

In view of the foregoing, Applicant respectfully submit that the application is in order for allowance. Favorable reconsideration and prompt allowance of the application are respectfully requested.

It is believed that no fees or charges are applicable to the filing of this paper. However, if necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account 070849 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly extension of time fees.

Should the Examiner believe that anything further is needed to place the application in even better condition for allowance, please contact the undersigned at the

phone number listed below.

Respectfully submitted,

April 7, 2009

Date

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